

RETURN DATE: MAY 7, 2019	:	SUPERIOR COURT
NORMA D'AMATO	:	JUDICIAL DISTRICT OF
V.	:	NEW HAVEN AT
NEW HAVEN BOARD OF	:	NEW HAVEN
EDUCATION	:	April 3, 2019

### **COMPLAINT**

1. At all times mentioned herein, the plaintiff Norma D'Amato, (hereinafter referred to as "the plaintiff,") was a resident of New Haven, CT. From September 25, 1995 untill June 30, 2017, she was employed by the New Haven Board of Education (herein referred to as "the defendant") as a Clerk. Her salary was paid from a Funding Source known as the "Impact Aid Grant." During the course of her employment, the plaintiff was a highly-regarded employee, who had never received any complaints from her Supervisors concerning her job performance, nor had any complaints been levelled against her by other Board of Education employees or parents.
2. At all times mentioned herein, the defendant New Haven Board of Education, (hereinafter referred to as "the defendant") was an entity

organized and existing under the laws of the State of Connecticut. The actions complained of herein were undertaken with the knowledge and consent of the defendant, acting by and through its agents, servants, and/or employees, in the day to day operation of Hillhouse High School in New Haven, CT.

3. On April 5, 2017, the plaintiff reported to the Administration of Hillhouse High School, specifically, Principal Glen Worthy, Asst. Principal John Tarka, Dean of Students Darrell Brown, and Senior Class Administrator Eric Barbarito a long-standing Board of Education Transportation for Class Trips Policy had been violated.
4. More specifically, said long-standing New Haven Board of Education Transportation Policy prohibit students from driving themselves to off-site Field Trips and extracurricular activities. Said Policy further mandates that the students take the bus transportation that is afforded to them by the defendant.
5. Upon information and belief, said long-standing Policy is in effect in order to ensure that the transportation of New Haven Board of Education students is in conformity with the State Statutory mandate to provide its

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students with a safe environment at all times when the students are in their care, custody, and control.

6. More specifically, the plaintiff reported to the aforementioned Board of Education "Chain of Command" that at Hillhouse High School one student drove himself to a Senior Class field trip taking place at the Circle Lanes Bowling Alley in East Haven, CT rather than take the School Bus.
7. When the plaintiff made the report to Assistant Principal Tarka, he informed Dean of Students Brown who disputed what the plaintiff reported. The Assistant Principal then informed the plaintiff that he "did not believe [her]." When the plaintiff's report was disputed, she contacted her Supervisor, Administrator Barbarito. She told him that she had been accused of lying by Assistant Principal Tarka when she reported the violation of the Board of Education's Policy on the transportation of students.
8. The same day, upon the plaintiff's return to work at Hillhouse High School, she was angrily confronted by Assistant Principal Tarka, who yelled:  
**"WHO DO YOU THINK YOU ARE BY CALLING ERIC? I WAS THE ADMINISTRATOR IN CHARGE!"** When the plaintiff tried to explain, Mr.

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Tarka continued to yell: **"YOU ARE NOTHING. YOU NEVER SHOULD HAVE BEEN ON THAT TRIP. YOU ARE JUST A CLERK. STAY IN YOUR LANE."**

9. Accordingly, the plaintiff reported Assistant Principal Tarka's angry tirade to Administrator Barbarito and Principal Glen Worthy, as she had never been spoken to in such a manner. They both indicated that they would "speak with" Mr. Tarka.
10. Later the same day, two teachers reported to the plaintiff that Mr. Tarka had bragged to them that he had "put [the plaintiff] in her place..."
11. On May 8, 2017, the plaintiff was informed by then – School Superintendent Reginald Mayo that she would be laid off, as the source of funds for her position, the aforementioned "Impact Aid Grant," "had dried up." However, at least one other person paid from the same funding source, was not the subject of a lay-off.
12. The action(s) of the defendant in terminating the plaintiff because she reported a violation of New Haven Board of Education's Student Transportation Policy, is a violation of the provisions of Conn. Gen. Statute. Sec. 31-519.

**WHEREFORE**, the plaintiff claims the following within the jurisdiction of the Superior Court:


1. Money damages;
2. Punitive Damages;
3. Attorney's Fees;
4. Costs;
5. Such other and further relief as in law or equity appertain.

**HEREOF**, fail not, but of this Writ with your doings thereon, make due service and return according to Law.

Dated at East Haven, Connecticut, this 3<sup>RD</sup> day of April, 2019.

THE PLAINTIFF,  
NORMA D'AMATO

BY: \_\_\_\_\_

  
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**STATEMENT OF AMOUNT IN DEMAND**

The plaintiff claims damages in excess of Fifteen Thousand Dollars (\$15,000.00), exclusive of interest and costs.

THE PLAINTIFF,  
NORMA D'AMATO

BY: \_\_\_\_\_

  
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